

JURISDICTIONAL OFFER

RE1786 04/2015 s.32.05 Wis. Stats.

Wisconsin Department of Transportation

Date:

To: , hereinafter referred to as Owner.

Relocation Order date(s)

Relocation Order Filed or recorded at Register of Deeds	County	Public purpose for property of
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Wisconsin Department of Transportation, hereinafter referred to as Purchaser, offers to purchase a parcel of real estate and/or rights therein in which you own an interest as described on attached page, and within 60 days from the acceptance of this offer agrees to pay the sum of: (\$)

- A. The said property, and/or rights as described, is required by the State of Wisconsin for the public purpose stated above, as more fully described in Department of Transportation Relocation Order, date and place of filing specified above. The State of Wisconsin in good faith intends to use the above-described property for such public purpose.
- B. The State of Wisconsin proposes to occupy and the Owner will vacate the premises on this date:
- C. Pursuant to s.32.05(3)(d) Wis. Stats., the above purchase price is allocated as follows:
- (a) Loss of land, including improvements and fixtures actually being acquired \$
 - (b) Damages caused by loss of existing rights of access \$
 - (c) Damages caused by loss of air rights \$
 - (d) Damages caused by loss of legal nonconforming use \$
 - (e) Damages resulting from actual severance of land including damages resulting from severance of improvements or fixtures and proximity damage to improvements remaining on Owner's land \$
 - (f) Damages to property abutting on a highway right of way due to change of grade .. \$
 - (g) Cost of fencing reasonably necessary to separate land taken from remainder \$
 - (h) Market value of uneconomic remnant \$
 - (i) Other: \$
- Compensation for additional items of damage listed in s.32.19 Wis. Stats. has not been included. If any such items are shown to exist the owner may file claims as provided in s.32.20 Wis. Stats.
- D. The purchase price is based upon an appraisal of the owner's property of which a copy of the appraisal report has been provided to the owner.
- E. Owner has 20 days from the date of personal service of this offer, if personally served, or 20 days from the date of postmark of the certified mail envelope transmitting this offer, if transmitted by mail, or 20 days from the date of publication of this offer, if published, in which to accept this offer, unless such time is extended by mutual written consent of Owner and Purchaser. Acceptance shall be as follows: Owner must execute the acceptance clause on back (second page) of this offer on or prior to ; and the offer and acceptance must be delivered to Purchaser, Attn: not later than regular office closing time on , or mailed to Purchaser at the last above stated address in an addressed, postage prepaid envelope bearing postmark of not later than 12:00 midnight on .
- F. If the Owner does not accept this offer as set forth, Owner has 40 days from the date of service, postmark or publication of this offer to commence a court action to contest the right of condemnation as provided in s.32.05(5) Wis. Stats. provided that the acceptance and retention of any compensation resulting from an award made prior to the commencement of such an action shall be an absolute bar to such action.
- G. If owner agrees to accept the Jurisdictional Offer, it is considered a negotiated purchase; therefore, the condemnor must record the conveyance with the Register of Deeds in the county where the land is located. Also, all owners of record should receive by certified mail a copy of the conveyance and a notice of their right to appeal within 6 months after the date of the recording of the conveyance. Such an appeal would challenge the amount of compensation received by the property owner from an accepted Jurisdictional Offer.

- H. Owner has 2 years from the date of the recording of an award, as described in s.32.05(7) Wis. Stats., in the office of the Register of Deeds in which to appeal for greater compensation without prejudice to Owner's right to use the compensation given to Owner by the award. Owner's right of appeal is subject to the provisions of s.32.05(9)(a) and (11), Wis. Stats.
- I. The law provides for the payment of litigation expenses by the condemnor and these costs are defined in Ch. 814 of Wisconsin Statutes.
- J. If this offer is accepted by Owner, the transfer of title shall be accomplished within 60 days after acceptance including the payment to Owner of said purchase price; provided, however, that notwithstanding any provision herein to the contrary, said 60-day period may, at the request of the Owner, be extended by mutual written agreement of the Owner and Purchaser.
- K. This offer may be withdrawn by Purchaser at any time prior to its acceptance by Owner.
- M. Purchaser will prepare necessary instruments to accomplish said transfer. Transfer shall be by Warranty Deed unless a lesser conveyance is accepted by Purchaser. Transfer shall be free of defects and encumbrances but subject to ordinances and restrictions of record.
- N. If all persons or entities designated as Owner do not accept this offer within the time specified, this offer will be deemed to have been rejected by all such persons or entities notwithstanding the acceptance by one or more of such persons or entities.
- O. Included in the purchase price is payment in full for the acquisition of the following items now on the described property. Description on additional page(s) .
- P. This offer, if accepted by Owner, shall constitute a binding contract.

WisDOT Supervisor Signature

Date

Wisconsin Department of Transportation

Print Name

Title

If owner is not a firm or corporation, check and sign here:

☐ Accepted ☐ Rejected

If owner is a firm or corporation, check and sign here:

☐ Accepted ☐ Rejected

Owner Signature

Date

Firm or Corporation Name

Print Name

Officer Signature

Date

Owner Signature

Date

Print Name

Print Name

Title

Owner Signature

Date

Officer Signature

Date

Print Name

Print Name

Owner Signature

Date

Title

Print Name

This instrument was drafted by

Project ID

Parcel No.

Wisconsin Department of Transportation